

REMARKS

This is intended as a full and complete response to the Office Action dated June 26, 2002, having a shortened statutory period for response extended one-month to expire on October 28, 2002. Please reconsider the claims pending in the application for reasons discussed below.

Claim 16 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner states that the use of the phrase "can be" in claim 16 makes the claim unclear.

Applicants have amended claim 16 to more clearly recite aspects of the invention, obviating the rejection. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 15, 16, 26-30, 32, 34, and 35 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Delano* (U.S. Patent No. 4,100,968). Claim 33 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Delano* in view of *Boyadejeff* (U.S. Pat. No. 4,605,077) and *Albright et al.* (U.S. Pat. No. 6,000,472).

Applicants have amended the claims to obviate the rejections. More particularly, pursuant to a telephone conference between the undersigned and the Examiner on October 23, 2002, Applicants have amended claims 15, 26, and 31 to more clearly recite that the fluid is directly applied to the gripping element. As discussed with the Examiner, *Delano* does not teach, show, or suggest a gripping element radially displaceable by hydraulic or pneumatic fluid directly applied thereto, as recited in the amended base claims and those dependent therefrom. Applicants submit that this amendment to the base claims does not affect or otherwise limit the scope of equivalents entitled thereto. Applicants have simply amended the claims to more clearly recite aspects of the invention. Accordingly, withdrawal of the rejection and allowance of the claims is respectfully requested.

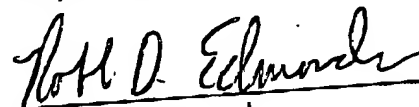
Furthermore, Applicants have added new claims 36-39. Applicants submit that the new claims do not introduce new matter and do not require further consideration or a new search. Applicants further submit that these new claims are allowable for at least

the same reasons discussed above. Allowance of new claims 36-39 is respectfully requested.

The prior art made of record is noted. However, it is believed that the secondary references are no more pertinent to the Applicants' disclosure than the primary references cited in the office action. Therefore, it is believed that a detailed discussion of the secondary references is not deemed necessary for a full and complete response to this office action. Accordingly, allowance of the claims is respectfully requested.

In conclusion, the references cited by the Examiner, neither alone nor in combination, teach, show, or suggest the claimed invention. Having addressed all issues set out in the office action, applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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APPENDIX

15. (Amended) An apparatus for connecting tubulars using a top drive, comprising:
a body connectable to said top drive;
at least one gripping element radially displaceable by hydraulic or pneumatic fluid directly applied thereto to drivingly engage a tubular to permit a screw connection between said tubular and a further tubular to be tightened to a required torque; and
a sealing packer to inhibit, in use, fluid in said tubular from escaping therefrom.
16. (Amended) The apparatus as claimed in claim 15, wherein said sealing packer [can be] is actuated by hydraulic or pneumatic fluid.
26. (Amended) An apparatus for connecting tubulars, comprising:
a top drive;
a body connectable to the top drive; and
at least one recess disposed about an outer surface of the body, wherein each recess comprises a gripping element,
wherein the gripping element is radially displaceable by hydraulic or pneumatic fluid directly applied thereto to engage a first tubular.
30. (Amended) The apparatus of claim [29] 31, wherein the first section comprises a splined recess into which a splined connecting member may be located.
31. (Amended) An apparatus for connecting tubulars, comprising:
a top drive;
a body having a first and second section;
one or more recesses disposed about an outer diameter of the second section;
and
a radially expandable gripping element disposed within each recess [The apparatus of claim 29], wherein the gripping elements are radially expandable with pressurized hydraulic or pneumatic fluid directly applied thereto.

32. (Amended) The apparatus of claim [29] 31, wherein the gripping elements are radially expanded to engage an inner surface of a tubular.
34. (Amended) The apparatus of claim [29] 32, wherein the body is connected to the top drive.